

United States District Court**for the****Eastern District of Washington****Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender***(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Dominic Eaglebear

Case Number: 2:11CR00028-RHW-1

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: September 12, 2011

Type of Supervision: Supervised Release

Original Offense: Sexual Abuse of a Minor, 18
U.S.C. §§ 2243(a) and 1153(a)

Date Supervision Commenced: January 3, 2014

Original Sentence: Prison - 30 Months
TSR - 36 Months

Date Supervision Expires: January 2, 2017

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 27 You shall participate in the home confinement program for 30 days. You shall abide by all the requirements of the program, which will include electronic monitoring or other location verification system. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence between 8 p.m. to 6 a.m. everyday, unless approved in advance by the U.S. Probation Office for treatment purposes.
- 28 You shall contribute 10% of your income to any balance owed for location monitoring services. The supervising probation officer may petition the Court on your behalf to modify this requirement if it presents an undue financial hardship.

CAUSE

On July 28, 2014, Mr. Eaglebear was arrested for driving under the influence-excessive in Kootenai County, Idaho. According to the citation, Mr. Eaglebear provided two Breathalyzer samples, in which his blood alcohol content registered at .200 and .192.

On July 29, 2014, Mr. Eaglebear appeared in Kootenai County District Court in Coeur d'Alene, Idaho, and pled guilty to an amended charge of driving under the influence. Subsequently, Mr. Eaglebear was sentenced to 180 days in jail with 178 days suspended; 2 years unsupervised probation; and an \$800 fine.

Prob 12B

Re: Eaglebear, Dominic
August 5, 2014
Page 2

Since his release from custody in January 2014, Mr. Eaglebear has maintained full-time employment; entered into sex offender therapy with favorable feed back from the provider; and has regularly provided random urinalysis samples that have tested negative for controlled substances. Additionally, Mr. Eaglebear has been referred for a substance abuse evaluation at Alcohol Drug Education and Treatment, Inc. (ADEPT). Mr. Eaglebear is scheduled to participate in a substance abuse evaluation at ADEPT on August 11, 2014.

It appears Mr. Eaglebear has taken full responsibility for his actions with regard to his driving under the influence conviction. Therefore, this officer respectfully recommends that Mr. Eaglebear be placed on electronic monitoring for a period of 30 days, with a curfew of 8 p.m. to 6 a.m. This officer believes an electronic monitoring sanction would hold Mr. Eaglebear accountable for his actions, while allowing him the opportunity to continue his full-time employment; attend sex offender therapy; and engage in any recommended substance abuse treatment programs.

Respectfully submitted,

by s/Erik Carlson

Erik Carlson
U.S. Probation Officer
Date: August 5, 2014

THE COURT ORDERS

- No Action
- The Extension of Supervision as Noted Above
- The Modification of Conditions as Noted Above
- Other



Signature of Judicial Officer

August 5, 2014

Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

- 27 You shall participate in the home confinement program for 30 days. You shall abide by all the requirements of the program, which will include electronic monitoring or other location verification system. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence between 8 p.m. to 6 a.m. everyday, unless approved in advance by the U.S. Probation Office for treatment purposes.
- 28 You shall contribute 10% of your income to any balance owed for location monitoring services. The supervising probation officer may petition the Court on your behalf to modify this requirement if it presents an undue financial hardship.

Witness:



Erik Carlson
U.S. Probation Officer

Signed:



Dominic Eaglebear
Probationer or Supervised Releasee

8/4/14
Date